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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Masao KONDO et al.**

Group Art Unit: **2814**

Serial No.: **10/755,448**

Examiner: **Thao X Le**

Filed: **January 13, 2004**

Confirmation No.: **1084**

For: **SEMICONDUCTOR DEVICE, METHOD OF FORMING EPITAXIAL FILM, AND LASER ABLATION DEVICE**

Attorney Docket Number: **020296A**

Customer Number: **38834**

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Date: March 15, 2005

Sir:

This paper is submitted in response to the Official Action dated February 15, 2005.

In the Action, restriction is required between Group I, Claims (5, 8-10 and 17) and Group II, Claims (11-16).

Applicants hereby elect the subject matter of Group I, Claims (5, 8-10 and 17).

The Office Action also requires an election of species between Species (a), Claims 5 and 8-10, a semiconductor device; and Species (b), Claim 17, a laser ablation apparatus.

Applicants elect species (a), corresponding to Fig. 3, claims 5 and 8-10 for prosecution in this application. This election is made without traverse, and it is understood that Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

Response to Restriction and Species Requirements  
Serial No. 10/755,448  
Attorney Docket No. 020296 A

If this paper is not timely filed, Applicant(s) respectfully petition(s) for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



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